

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

BRIAN THOMAS STICKNEY,	:
Plaintiff	:
v.	: Case No. 3:22-cv-180-KAP
NORMAN WEIDLICH, <i>et al.</i> ,	:
Defendants	:

Memorandum Order

Plaintiff Stickney's most recent motion to amend his complaint, ECF no. 20, is granted, and the Clerk shall file the 15-page proposed amended complaint at ECF no. 20-1 as the Second Amended Complaint. The defendants are now Norman Weidlich, Michael Underwood, and Stephanie Hoover. The formerly named defendant "Collet [sic] Peters" shall be deleted as a defendant.

Plaintiff was directed to supply service copies of his original complaint and directions for service on the defendants on February 24, 2023 and on March 13, 2023, and was directed to supply service copies of his First Amended Complaint and directions for service on the defendants on March 22, 2023. He can now supply service copies of his Second Amended Complaint and directions for service on the defendants. As I have advised plaintiff before, when he does so his case will proceed. If he needs service forms, he can request them from the Clerk.

The plaintiff's latest motion for appointment of counsel at ECF no. 22 is denied. Local Civil Rule 10.C provides that "[a]bsent special circumstances, no motions for the appointment of counsel will be granted until after dispositive motions have been resolved." There are still no special circumstances.

In February, I noted that when served, the defendant should file a response to the motion for preliminary injunction at ECF no. 8. Since that time plaintiff has amended his complaint twice, sent no copies or forms for service, and filed another motion for preliminary injunctive relief at ECF no. 21. There is no basis or even a request for an *ex parte* proceeding so, once again, when served the defendants should file a response to the motion for preliminary injunctive relief at ECF no. 21. The motion at ECF no. 8 is denied without prejudice to the current motion at ECF no. 21.

Finally, in accordance with the case management system in place in this district, this case has been preliminarily assigned to me. All parties or their counsel should complete an election form (copy enclosed for *pro se* litigants, form available to counsel at <https://www.pawd.uscourts.gov/forms/> under "Local Forms") either consenting to jurisdiction by a Magistrate Judge with appeal to the Court of Appeals or electing to have

a District Judge assigned to the case (with reference to a Magistrate Judge and appeal to a District Judge and then to the Court of Appeals) and shall file the form with the Clerk.



DATE: May 31, 2023

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Keith A. Pesto,  
United States Magistrate Judge

Notice by U.S. Mail to:

Brian T. Stickney, Reg. No. 18159-111  
F.C.I. Loretto  
P.O. Box 1000  
Cresson, PA 16630